

REMARKS

With this Response, claims 40 and 44-46 are amended. Applicants respectfully request that claim 42 be canceled without prejudice. Therefore, claims 1-6, 8-33, 35-41, 43-46, and 48-58 are pending.

ALLOWABLE SUBJECT MATTER

Applicants acknowledge that claims 13-15, 25, 37-39, 42 and 50-51 were found to have allowable subject matter. Specifically, these claims were objected to as being dependent upon rejected base claims, but would be allowable if rewritten in independent form. Regarding claims 13-15, 25, 37-39, and 50-51, Applicants respectfully submit that the rejection of the base claims is overcome herein, meaning that these claims are allowable as written. Regarding claim 42, the claim is canceled herein, rendering objection of this claim moot. Applicants therefore respectfully request that the objection to these claims be withdrawn.

CLAIM REJECTIONS - 35 U.S.C. § 102

Claims 1-6, 8-12, 16-24, 26-33, 35-36, 40-41, 43-46, 48-49 and 52-58 were rejected under 35 U.S.C. § 102(e) as being anticipated US Patent No. 6,389,057 to Haartsen (hereinafter "Haartsen '057"). Claim 40 is amended herein to include the features of claim 42, which was found to be allowable over the cited references. Therefore, Applicants respectfully submit that claim 40 and its dependent claims, claim 41 and 43, should be found allowable for at least the same reasons claim 42 was found to be allowable. Regarding the remaining claims, Applicants respectfully submit that these claims are not anticipated by the cited reference for at least the following reasons.

Claim 1 recites the following:

selecting at the base station a first of multiple radio frequency (RF) resources to transmit a page;

transmitting the page from the base station via the first RF resource;
receiving the page at the user terminal via the first RF resource;

selecting at the user terminal **one of multiple hopping sequence resources** to transmit a page response, including computing a function at the user terminal to determine the hopping sequence resource to select, the selected hopping sequence resource comprising a sequence of radio frequency resources that follow a hopping sequence;

transmitting the page response from the user terminal via the selected hopping sequence resource in response to the page; and

transmitting the data stream between the base station and user terminal via a second RF resource.

Each of independent claims 18, 27, 44, and 52 similarly recites limitations directed to transmitting on one of multiple hopping sequence resources.

As Applicants have understood Haartsen '057, the reference limits its paging exchange to a single, hopping sequence known to the paging unit and the standby unit prior to the paging. See col. 2, line 36 to col. 3, line 4 (esp. lines 45 to 48: "for each subsequent activation time period, the selected channel is a subsequent one of the plurality of channels as specified by **a hopping sequence**," and lines 60 to 61: "transmitted on a subset of channels that are selected from **the hopping sequence**," and lines 63 to 67: "one or more different hop frequencies that are nearest the **expected wake-frequency in the hopping sequence**, and wherein non-selected channels in the hopping sequence constitute one or more **remaining portions of the hopping sequence**." Emphases added); col. 5, line 47: "each link applies a unique hop sequence"; col. 10, lines 31 to 34: "When the standby unit has received the paging message, it will return a response message using a hop frequency which (sic) corresponds to the hop in which the paging message was received." This is in contrast to the invention as recited in claims 1, 18, 27, 44, and 52, which recite limitations directed to selecting among multiple hopping sequence resources that are sequences of radio frequency resources. Thus, the cited reference fails to disclose at least one element of the invention as recited in the independent claims, and so fails to anticipate the claimed invention.

The remaining claims depend from the independent claims discussed above, and are, therefore, likewise not anticipated by the cited reference for at least the reasons set forth above with respect to the independent claims.

CONCLUSION

For at least the foregoing reasons, Applicants submit that the rejections of the claims have been overcome herein, placing all pending claims in condition for allowance. Such action is earnestly solicited. The Examiner is respectfully requested to contact the undersigned by telephone if such contact would further the examination of the above-referenced application.

Please charge any shortages and credit any overcharges to our Deposit Account number 02-2666.

Respectfully submitted,
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Signature: Theresa Belland 05/08/06
Theresa Belland Date